IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

WRIT PETITION NO : 5331 of 2004

Between:

Sabavat Rukman Naik, s/o Ganniaya Naik,

R/o H. No. 8-2-923/82/1, Jawahar Colony,
Indira Nagar, Road No.2 Banjara Hills,

Hyderabad.

..... PETITIONER

AND

1. The Commissioner,

Municipal Corporation of Hyderabad,

Tank Bund, Hyderabad.

2. The Deputy/Addl. Commissioner,

Circle V.M.C.H, Khairtabad, Hyderabad.

3. The Asst. City Planner, Circle VMCH,

Khairtabad Hyderabad.

4. The Sub Regisrtrar,

Stamps & Registration Department,

Banjara Hills, Erragadda, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or Direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents in publishing Public Caution Notice in spite of representation of the petitioner dt 4-3-2004 as discriminatory and violative of Article 14 of the Constitution of India and consequently direct the Respondents to consider the Representation of the petitioner dt 4-3-2002, and publish the “Public Caution Notice" in leading newspapers on the same footing/similar circumstances, as done in the Public Caution Notice dt 26-2-2004, Published in Times of India News Paper dt 2-3-2004 and also intimate the 4th Respondent not to Register the sale/purchase of property in Plot No. 309, Sy. No. 102/1 (102/3), Hakeempet village, shri Venkateshwara Co-operative Housing Society, Road No.12, Banjara Hills, Hyderabad.

Counsel for the Petitioner: MR.B.SUDHAKAR REDDY & NEERAJA REDDY
Counsel for the Respondent Nos.1 to 3: G.JYOTI KIRAN
Counsel for the Respondent No.4: GP FOR REVENUE

The Court made the following:

ORDER:

This writ petition has been filed by Sabavat Rukman Naik with a prayer to issue a

writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the inaction of the respondents in publishing " Public Caution Notice" in spite of the representation of the petitioner dated 04.3.2004, as discriminatory and violative of Article 14 of the Constitution of India.

2. The respondents did not choose to file counter-affidavit.

3. Heard the learned counsel for the petitioner and perused the record.

4. It is the grievance of the writ petitioner that the first respondent has not taken note of his representations with regard to publication of "public caution Notice" in leading newspapers. The learned counsel for the petitioner submits that the Municipal Corporation of Hyderabad, has given similar notices in respect of some properties which are subject matter in O.S.No.2194 of 2003 and when a same request has been made by the petitioner, the first respondent has not acceded to his request.

5. Since the application filed by the petitioner is pending with the first respondent, I deem it appropriate to direct the first respondent to consider his application and pass appropriate orders within four weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition is disposed of. No costs.

B.SESHASAYANA REDDY,J.

Date: 19th July 2005.

BSB

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner,

Municipal Corporation of Hyderabad,

Tank Bund, Hyderabad.

2. The Deputy/Addl. Commissioner,

Circle V.M.C.H, Khairtabad, Hyderabad.

3. The Asst. City Planner, Circle VMCH,

Khairtabad Hyderabad.

4. The Sub Regisrtrar,

Stamps & Registration Department,

Banjara Hills, Erragadda, Hyderabad.

5. Two CCs to the Govt. Pleader for Revenue,

High Court of A.P., Hyderabad (OUT).

6. 2 CD copies